

Remarks

Claims 1-15 and 17-20 are currently pending in the Application.

Summary of claim amendments

This response amends Claims 1-3, 5-8, 13, 15 and 20 to clarify the language of the claims. No new matter has been added.

35 U.S.C. §102(b) Rejection

Claims 1, 5-8, 14-15 and 17-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP 10143340. Applicants respectfully disagree.

The Examiner is reminded that “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” MPEP 2131 quoting *Verdegaal Bros. V. Union Oil Co, of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The Examiner is also reminded that “[the] identical invention must be shown in as complete detail as is contained in the ... claim.” MPEP 2131 quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). Applicants submit that JP 10143340 does not teach each and every element as set forth in the rejected claims. In particular:

Claim 1

Applicants submit that JP 10143340 does not disclose, suggest or teach, *inter alia*, at least the following features recited by amended Claim 1 of the present application:

“first source data having a first assigned printing priority value ... second source data having a second assigned printing priority value ...
determining whether the second priority value signifies higher priority than the first priority value” (emphasis added)

According to JP 10143340, CPU6 of the printer checks the existence of the interruption printing request from any of the hosts. See paragraph 00018 of JP 10143340. This implies that any host may send an interruption request to the printer. JP 10143340 further

discloses that the CPU6, upon receipt of the interruption request from a host, confirms whether the interruption request was received during a printing job from another host. See paragraph 00019 of JP 10143340. If the interruption request was received during the printing job from another host, it appears that the CPU6 automatically stops the current print job, saves the stopped printing job to a disc apparatus 4 and automatically starts printing data from the host that sent out the interruption request. See paragraphs 0005-0006, 0008, 0017 and 0019-0020 of JP 10143340.

Applicants submit that, because JP 10143340 discloses automatically stopping a print job that is pending in the printer upon receipt of the interruption request, JP 10143340 does not disclose determining which data has a higher priority value. Why would JP 10143340 need to determine which data has a higher priority value when the interruption request will always automatically stop the printer from printing any job that is pending in the printer?

According to the Examiner, an interruption request (demand) is equivalent to a priority check. See page 3, lines 3-5 of the Office Action. Contrary to the Examiner, JP 10143340 does not define what is the interruption request. Applicants submit that in reading JP 10143340 one skilled in the art would find that the interruption request is just a signal that is sent by a host to stop any print jobs pending in the printer without determining which print job has a higher priority value. According to JP 10143340, once the hosts sends the interruption request, the print job that is pending in the printer at the time of the interruption request is automatically stopped without any further need for priority check.

Applicants submit that JP 10143340 does not disclose, suggest or teach “determining whether the second priority value signifies **higher priority** than the first priority value” (emphasis added) as recited in amended Claim 1, because JP 10143340’s interruption request automatically stops any print jobs pending in the printer without determining which print job has a higher priority value.

Hence, Claim 1 is patentable over JP 10143340 and should be allowed by the

Examiner. Claims 5-8 and 14, at least based on their dependency on Claim 1, are also believed to be patentable over JP 10143340.

Claim 15

Applicants submit that, at least for the reasons stated above for Claim 1, JP 10143340 does not teach, disclose or suggest “determines a priority value assigned to incoming data entering the printer via the at least one network port for a first type of print processing; determines whether the priority value assigned to the incoming data is higher than a priority value assigned to current data undergoing the first type of print processing; and automatically executes a suspension function in the event that the incoming data has a higher priority value than the current data” as recited in amended Claim 15. Hence, Claim 15 is patentable over JP 10143340 and should be allowed by the Examiner. Claims 17-19, at least based on their dependency on Claim 15, are also believed to be patentable over JP 10143340.

Claim 20

Applicants submit that, at least for the reasons stated above for Claim 1, JP 10143340 does not teach, disclose or suggest “dispatching first source data having a first assigned printing priority value to at least one printer for performance of at least one print process; subsequent to dispatch of the first source data and prior to completion of the at least one print process, dispatching second source data having a second assigned printing priority value to the at least one printer for performance of at least one print process; determining whether the second priority value signifies higher priority than the first priority value” as recited in amended Claim 20. Hence, Claim 20 is patentable over JP 10143340 and should be allowed by the Examiner.

35 U.S.C. §103(a) Rejection

Claims 2-4 stand rejected under 35 U.S.C. §103(a) as being obvious in view of JP 10143340 and further in view of Terao (U.S. Patent No. 6,389,121). Claim 9 stands rejected under 35 U.S.C. §103(a) as being obvious in view of JP 10143340 and further in

view of Kato (U.S. Patent No. 6,771,386). Claims 10-12 stand rejected under 35 U.S.C. §103(a) as being obvious in view of JP 10143340, Kato and further in view of Mastie (U.S. Patent No. 6,373,585). Claims 9-13 stand rejected under 35 U.S.C. §103(a) as being obvious in view of JP 10143340, Kato and further in view of Terao.

Applicants submit that Claims 2-4 and 9-13, at least based on their dependency on Claim 1, are believed to be patentable over JP 10143340, Kato, Mastie and Terao because there is no prima facie 35 USC 103(a) case based on JP 10143340 as shown above, and because the Examiner has not shown to Applicants where Kato, Mastie and Terao disclose, teach or suggest the features not found in JP 10143340.

The Examiner is encouraged to contact the undersigned to discuss any other issues requiring resolution.

Conclusion

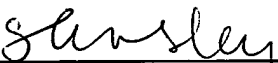
In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Mail Stop AF
Commissioner for Patents POB 1450,
Alexandria, VA 22313-1450 on

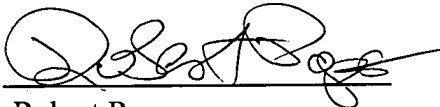
February 15, 2006
(Date of Deposit)

Shannon Tinsley
(Name of Person Signing)


(Signature)

February 15, 2006
(Date)

Respectfully submitted,



Robert Popa
Attorney for Applicants
Reg. No. 43,010
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036
(323) 934-2300

Encls:
A Request for Continued Examination;
Postcard.